

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

GARY SUOJA, Individually and as Special  
Administrator of the Estate of OSWALD F.  
SUOJA, Deceased,

Plaintiff,

v.

OWENS-ILLINOIS, INC.

Defendant.

Case No. 99-cv-0475

BARBARA CONNELL, Individually and as  
Special Administrator of the Estate of DANIEL  
CONNELL, Deceased,

Plaintiff,

v.

OWENS-ILLINOIS, INC.

Defendant.

Case No. 05-cv-00219

**PLAINTIFFS' RESPONSE TO OWENS-ILLINOIS, INC.'S MOTION TO BAR THE  
"ANY EXPOSURE" CAUSATION OPINION**

Plaintiffs respond to Owens-Illinois, Inc.'s Motion to Bar the "Any Exposure" Causation Opinion. Plaintiffs agree the testimony that "each and every exposure" or "any exposure" is a cause of the asbestos related disease will not be presented at trial. Thus, the motion should be stricken or denied as moot.<sup>1</sup>

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<sup>1</sup>Plaintiffs note that defendant relies in large part on the trial court decision in *Krik v. BP Amoco* N.D. IL Case No. 10-cv-07435 Doc. # 314 filed on December 22, 2014. The district court in the *Kirk* case held the "every exposure" statement could not be made. However, in *Krik* the

Conclusion

For the reasons above, the motion should be stricken or denied as moot.

Dated: February 20, 2015

/s/ Robert G. McCoy  
Attorney for Plaintiffs

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district court also held the causation opinion of the experts as to specific defendants was expressly allowed (pages 4-13).